

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 9/11/2012	(3) CONTACT/PHONE Stephanie Fuhs, Planner III / (805) 781-5721	
(4) SUBJECT A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to revise Article 9 of the Land Use Ordinance, Title 22 of the County Code, to add water conservation requirements for discretionary land use permit applications, land divisions and general plan amendments, prohibit the approval of new land divisions, prohibit the approval of new General Plan Amendments that result in a net increase in the use of water for non-agricultural purposes and establish special landscape irrigation requirements within the Paso Robles Groundwater Basin. Supervisorial Districts: 1, 5.			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County on or before September 14, 2012, indicating the general nature of the proposed Ordinance amendments that will be considered on September 25, 2012, can act as the alternative publication. 2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 1, District 5			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Kami Griffin, Assistant Director, Department of Planning and Building

DATE: 9/11/2012

SUBJECT: A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to revise Article 9 of the Land Use Ordinance, Title 22 of the County Code, to add water conservation requirements for discretionary land use permit applications, land divisions and general plan amendments, prohibit the approval of new land divisions, prohibit the approval of new General Plan Amendments that result in a net increase in the use of water for non-agricultural purposes and establish special landscape irrigation requirements within the Paso Robles Groundwater Basin. Supervisorial Districts: 1, 5.

RECOMMENDATION

That the Board of Supervisors:

1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County on or before September 14, 2012, indicating the general nature of the proposed Ordinance amendments that will be considered on September 25, 2012, can act as the alternative publication.
2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On September 25, 2012, your Board will hold a public hearing for the following amendment:

A request by the County Of San Luis Obispo to amend Article 9 of the Land Use Ordinance, Title 22 of the County Code, to add water conservation requirements for discretionary land use permit applications, land divisions and general plan amendments within: 1) the rural portions of the Paso Robles Groundwater Basin (PRGWB), outside of the Atascadero Sub-basin, 2) the Whitley Gardens and Creston Village Reserve Lines, and 3) the unincorporated Paso Robles Urban Reserve Line. This request adds new sections to Article 9 (Community Planning Standards) that include, but are not limited to, standards to: 1) require discretionary land use permit applications in the PRGWB to offset the net new demand for water used for non-agricultural purposes; 2) prohibit the approval of new land divisions until the PRGWB is certified at a Level of Severity I or better pursuant to the Resource Management System (Chapter 3 of the Framework for Planning, Part I of the Land Use Element of the General Plan); 3) prohibit the approval of new General Plan Amendments that result in a net increase in the use of water for non-agricultural purposes and 4) establish special landscape irrigation requirements. The PRGWB extends from the Garden Farms area south of Atascadero to the northern county boundary (and into Monterey County) and from the Highway 101 corridor east to Shandon.

It underlies portions of the Adelaida, El Pomar-Estrella, Las Pilitas, Los Padres, Nacimiento, Salinas River, and Shandon-Carizzo Planning Areas. The Atascadero Sub-basin, which is not subject to this request, extends from approximately Santa Margarita along the Salinas River corridor north to Paso Robles.

County File Number: **LRP2010-00014**
Supervisory Districts: 1, 5

Assessor Parcel Numbers: Various
Date Authorized: July 21, 2009

The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

Staff Comments

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Land Use Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

Applicable agencies and Community Advisory Committees were provided referrals of the amendments.

FINANCIAL CONSIDERATIONS

Reproducing the complete text of all of the amendments contained in this Ordinance Amendment would cost approximately 50 percent more than the cost of two quarter-page display ads.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments.